

**THE HON'BLE SRI JUSTICE SANJAY KUMAR**

**WRIT PETITION No. 2250 of 2016**

**ORDER:**

The challenge in this writ petition is to the proceedings dated 18.01.2016 passed by the Prohibition and Excise Superintendent, Machilipatnam, canceling the A4 shop licence of the petitioner with immediate effect. Perusal of the impugned proceedings reflects that the show cause notice issued on 11.01.2016 was not served upon the licensee, the petitioner herein, but upon the Noukarnama holder, one T.Manoj Kumar.

2. In the light of the law laid down by this Court in ***N.Malla Reddy v. State of Andhra Pradesh***<sup>[1]</sup> service of the notice upon the Noukarnama is not sufficient.

3. On this short ground the impugned proceedings are set aside and the writ petition is allowed. This order however shall not preclude the authorities from initiating action afresh, if warranted, in accordance with law.

Pending miscellaneous petitions, if any, shall also stand closed in the light of this final order. No order as to costs.

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**JUSTICE SANJAY KUMAR**

**January 27, 2016**  
**Lmv**

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<sup>[1]</sup> 2013(6) ALD 247